

REMARKS

There are two independent claims now in the application. These are claims 1 and 15. Each claim calls for the inclusion of molded, generally mirror image parts, each part including a disk battery chamber section and a projecting elongate tube section to accommodate a LED or light at the end of the tube section. The claims, as amended, are believed to more clearly point out and distinctly claim the subject matter of the invention inasmuch as appropriate antecedent bases are set forth throughout. Additional features of the claims include a flexible, conductive clip member that is fixed to the chamber section of the flashlight by means of prongs which have a dual function of providing electric contact to a battery within the chamber section and holding the clip in a fixed position. It is believed that this feature alone, which is incorporated in both independent claims 1 and 15, distinguishes the subject matter of the invention from the prior art arguments set forth by the Examiner.

The principal prior art directed to the construction of the clip for the flashlight is Kaye, U.S. Patent No. 3,737,650. The Kaye reference discloses a sliding clip member 20 with clip legs 20C and 20D designed to slide along the outside conductive surface of a battery. There is no teaching in Kaye of prongs designed to hold the conductive clip in a fixed, non-moveable position relative to the battery and to the housing. Thus, the prior art clip does not include prongs which have a duality of function of providing a means for attachment and fixing of the clip to the housing and also a means to conduct electricity in the circuitry associated with the light.

Applicant believes, therefore, that the claims in their amended condition are allowable.
Reconsideration thereof and passage to allowance is earnestly solicited.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: April 26, 2005

By: 

Jon O. Nelson
Counsel for Applicant
Reg. No. 24,566

Banner & Witcoff, Ltd.
Ten South Wacker Drive
Chicago, Illinois 60606
(312) 463-5000
428500

Serial No. 10/714,485
Attorney Docket No. 10628.00087